

BOARD OF COUNTY COMMISSIONERS

Randy Ognio, Chairman
Charles W. Oddo, Vice Chairman
Edward Gibbons
Eric K. Maxwell
Charles D. Rousseau



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. White, County Clerk
Marlena Edwards, Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

ACTION AGENDA

July 9, 2020
6:30 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 6:30 p.m.

Call to Order

Chairman Randy Ognio called the July 9, 2020 Board of Commissioners meeting to order at 6:30 p.m. A quorum of the Board was present. Commissioner Rousseau was absent.

Invocation and Pledge of Allegiance by Commissioner Edward Gibbons

Commissioner Edward Gibbons offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Vice Chairman Charles Oddo moved to accept the as written. Commissioner Gibbons seconded. The motion passed 4-0.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

PUBLIC COMMENT:

Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.

CONSENT AGENDA:

Ognio moved to accept the Consent Agenda with the correction that the approval of the May 28, 2020 Executive Minutes be added to the June 25, 2020 Board of Commissioners Meeting. Commissioner Edwards Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

1. **Approval of the June 25, 2020 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

2. **Consideration of a recommendation from the Selection Committee comprised of Commissioner Randy Ognio and Commissioner Charles Oddo, to reappoint Elizabeth Morgan to a term beginning July 1, 2020 and expiring June 30, 2023 to the McIntosh Trail Community Service Board.**

Vice-Chairman Oddo moved to approve to reappoint Elizabeth Morgan to a term beginning July 1, 2020 and expiring June 30, 2023 to the McIntosh Trail Community Service Board. Commissioner Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

3. **Consideration of the County Attorney's recommendation to approve a disposition of tax refund, as requested by Nelda Edwards, for tax years 2017, 2018 and 2019 in the amount of \$192.95.**

Vice-Chairman Oddo moved to approve disposition of tax refund, as requested by Nelda Edwards, for tax years 2017, 2018 and 2019 in the amount of \$192.95. Commissioner Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

4. **Consideration of the County Attorney's recommendation to approve a disposition of tax refund, as requested by Cynthia Mussell on behalf of D.R. Horton-Crowne, for tax year 2018 in the amount of \$23.18.**

Commissioner Gibbons moved to approve County Attorney's recommendation to approve a disposition of tax refund, as requested by Cynthia Mussell on behalf of D.R. Horton-Crowne, for tax year 2018 in the amount of \$23.18. Vice-Chairman Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

5. **Consideration of a Disclosure Letter of Municipal Advisor Agreement between Fayette County and Raymond James & Associates to provide financial advice regarding the public health building.**

Vice-Chairman Oddo moved to approve Municipal Advisor Agreement between Fayette County and Raymond James & Associates to provide financial advice regarding the public health building. Commissioner Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

ADMINISTRATOR'S REPORTS:

McIntosh Trail Service Board

County Administrator stated that there was a vacancy for an elected official seat on the McIntosh Trail Service Board. Vice-Chairman Oddo moved to appoint Sheriff Barry Babb to the McIntosh Trail Service Board. Commissioner Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

National Association of Counties (NACo)

Mr. Rapson advised the Board that a voting delegate was needed from the Board for the National Association of Counties (NACo). Mr. Rapson stated that Commissioner Rousseau had previously held that position.

Vice-Chairman Oddo moved to select Commissioner Rousseau as the National Association of Counties (NACo) delegate. The motion passed 4-0. Commissioner Rousseau was absent.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were three items for executive session. One Personnel item, one item involving Pending Litigation, and the Review of the June 25, 2020 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Chairman Ognio and Commissioner Gibbons made comments.

EXECUTIVE SESSION:

One Personnel item, one item involving Pending Litigation, and the Review of the June 25, 2020 Executive Session Minutes for consideration in Executive Session. Vice Chairman Oddo moved to go into Executive Session. Commissioner Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

The Board recessed into Executive Session at 6:44 p.m. and returned to Official Session at 7:04 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Oddo seconded the motion. The motion passed 4-0. Commissioner Rousseau was absent.

Approval of the June 25, 2020, 2020 Executive Session Minutes: Chairman Ognio moved to approve the June 25, 2020 Executive Session Minutes. Vice Chairman Oddo seconded the motion. The motion passed 4-0. Commissioner Rousseau was absent.

Commissioner Maxwell moved to extend the County Administrator's employment agreement through to December 31, 2024. Commissioner Maxwell stated that there were a few substantive changes with the extension which included: changes to base compensation, changes to annual adjustment amount, adjustment to the amount of personal day's allotment, adjustment to 401 contribution, and severance package adjustment. Commissioner Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

County Administrator Steve Rapson accepted his employment agreement adjustment and extension.

Attorney Dennis Davenport advised the Board of a Settlement Agreement in the amount of \$35,000 for former employee Mr. Duhaney. Mr. Davenport stated that with this settlement there would not be any admission by the County of any rights violations of Mr. Duhaney. Mr. Duhaney has agreed to a general release and has waived all rights which includes confidentiality clause, non-disparagement, and separation with no return. Mr. Duhaney has also agreed to dismiss his actions in Federal County with prejudice and agreed to not file any additional suits. Mr. Davenport stated that the County agreed to provide a neutral reference.

Chairman Ognio moved to approve settlement agreement for Mr. Duhaney. Vice Chairman Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

ADJOURNMENT:

Chairman Oddo moved to adjourn the July 9, 2020 Board of Commissioners meeting. Vice Chairman Oddo seconded the motion. The motion passed 4-0. Commissioner Rousseau was absent.

The July 9, 2020 Board of Commissioners meeting adjourned at 7:07 p.m.

Marlena M. Edwards, Deputy County Clerk

Randy C. Ognio, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the July 23rd day of June 2020. Documents are available upon request at the County Clerk's Office.

Marlena M. Edwards, Deputy County Clerk

